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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,611	10/31/2003	Raymond J. Slesinski	66638-42204	9880

7590

07/13/2005

Clyde L. Smith
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St. Louis, MO 63101

EXAMINER

KO, TONY

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,611

Applicant(s)

SLESINSKI ET AL.

Examiner

Tony Ko

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-20 is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/17/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Danielson (U.S. Patent 5,801,834).

2. Regarding claims 1 –12, Danielson discloses (Figs. 21-25) an assembly comprising: a subject article (1435); and a laser target device comprising a reflective target (1012) and a mount (Fig. 24), the mount having first and second portions, the first portion of the mount being resiliently deflectable from a neutral position relative to the second portion of the mount, the mount securing the reflective target to the subject article at least partially by the first and second portions of the mount being biased into engagement with the subject article via a biasing force that exists as a result of the first portion being deflected from the neutral position relative to the second portion (Col. 7, Line 55 – Line 67, Col 14, Line 40 – Line 55); the first portion of the mount comprises a first surface and the second portion of the mount comprises a second surface, the first and second surfaces facing toward one another, the first and second surfaces being engaged with the subject article, the biasing force acting to force the first and second surfaces against a portion of the subject article that is positioned between the first and second surfaces of the mount. Danielson also discloses the portion of the subject

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article comprises first and second wall portions that each comprise opposite side surfaces, the first wall portion being intersected at an angle by the second wall portion, the mount engaging the opposite side surfaces of the first wall portion and engaging at least one of the opposite side surfaces of the second wall portion. Danielson also discloses the first portion of the mount comprises a first surface and the second portion of the mount comprises a second surface, the first and second surfaces facing away from one another, the first and second surfaces being engaged with the subject article, the biasing force acting to force the first and second surfaces away from each other and against opposing surface portions of the subject article. Danielson also discloses (Figs. 21-25) the mount comprises a plurality of tabs arranged in a circumferential manner, one of the plurality of tabs constituting the first portion of the mount and another of the tabs constituting the second portion of the mount, the opposing surface portions of the subject article each being part of an inward facing cylindrical surface of the subject article. Danielson also discloses (Figs. 21-25) the laser target device further comprises a stem, the stem connecting the reflective target to the mount, the mount having a recessed opening that extends into the mount, the stem having a portion that is press-fit into the recessed opening of the mount in a manner securing the mount to the stem (Col. 7, Line 55 – Line 67, Col 14, Line 40 – Line 55).

Allowable Subject Matter

3. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 14 –50 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter: Prior art discloses the invention set forth above. Prior art does not disclose creating a digital representation of at least a portion of the subject article, and wherein the step of forming the mount portion occurs via a digitally controlled layered manufacturing technique that is dependent upon the digital representation of the portion of the subject article.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Ko whose telephone number is 571-272-1926. The examiner can normally be reached on Monday-Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TKO



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SUPERVISORY PATENT EXAMINER
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